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In re Application of   :
Paul Ferguson, et al.   :   **OFFICE OF PETITIONS**
Application No. 09/575,560   :   ON PETITION
Filed: May 21, 2000   :⸱
Attorney Docket No. A0312/7409/SJH   :

This is a decision on the petition under 37 CFR 1.137(b), filed June 12, 2003, to revive the above-identified application.

The petition is **GRANTED.**

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed June 20, 2002, which set a shortened statutory period for reply of three (3) months. A three-month extension of time under the provisions of 37 CFR 1.136(a) was obtained. An Advisory action was mailed January 14, 2003 indicating that the reply filed on December 26, 2002 failed to place the application in condition for allowance. Accordingly, the application became abandoned at midnight on December 20, 2002.

37 CFR 1.137(b)(3) requires a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. If the statement contained in the instant petition varies from the language required by 37 CFR 1.137(b)(3), it will be interpreted as the required statement. Petitioner must notify the Office if this is **not** a correct interpretation of the statement contained in the instant petition.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

The application file is being forwarded to Technology Center 2800, Art Unit 2818 for processing the Request for Continued Examination under 37 CFR 1.114 filed with the instant petition.

Retta Williams

Retta Williams
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
  for Patent Examination Policy